



City of San Marcos

630 East Hopkins
San Marcos, TX 78666

Regular Meeting Agenda - Final-Amended City Council

Monday, September 30, 2019

6:00 PM

City Council Chambers

630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges Of Allegiance - United States And Texas
- V. 30 Minute Citizen Comment Period

CONSENT AGENDA

THE FOLLOWING ORDINANCES, RESOLUTIONS AND OTHER ITEMS MAY BE ACTED UPON BY ONE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THE ITEMS IS NECESSARY UNLESS DESIRED BY A COUNCIL MEMBER OR A CITIZEN, IN WHICH EVENT THE ITEM SHALL BE CONSIDERED IN ITS NORMAL SEQUENCE AFTER THE ITEMS NOT REQUIRING SEPARATE DISCUSSION HAVE BEEN ACTED UPON BY A SINGLE MOTION.

- 1. Consider approval, by motion, of the following meeting Minutes:
 - A. June 26, 2019 - Budget Workshop Meeting Minutes
 - B. June 27, 2019 - Budget Workshop Meeting Minutes
 - C. June 27, 2019 - Special Meeting Minutes
 - D. September 3, 2019 - Work Session Meeting Minutes
 - E. September 3, 2019 - Regular Meeting Minutes

Attachments: [06.26.19 Budget Workshop Minutes DRAFT](#)
[06.27.19 Budget Workshop Meeting Minutes](#)
[06.27.19 Special Meeting Minutes \(DRAFT\)](#)
[09.03.19 Regular Meeting DRAFT](#)
[09.03.19 WorkSession Meeting DRAFT](#)

- 2. Consider approval of Ordinance 2019-29, on the second of two readings, amending Section 34.822(A) of the San Marcos City Code, by extending the date by which an application for Long Term Rental Registration must be completed and the date that the initial term of the registration expires; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date.

Attachments: [Ordinance](#)[DIVISION 3. LONG TERM RENTAL REGISTRATION.doc](#)[redline DIVISION 3. LONG TERM RENTAL REGISTRATION.doc](#)

3. Consider approval of Ordinance 2019-30, on the second of two readings, repealing Section 18.120 of the San Marcos City Code pertaining to the issuance of a variance to allow dogs in outdoor eating areas because Texas Health and Safety Code Section 437.025 now allows restaurant customers to bring dogs into outdoor dining areas under certain specified conditions and preempts more stringent local ordinances on this subject; and providing an effective date.

Attachments: [Ordinance - Repealing Dining With Dogs code provision](#)[Senate Bill 476.pdf](#)[current Sec. 18.120. Variance to allow dogs in outdoor eating areas.\(2](#)[redline Sec. 18.120. Variance to allow dogs in outdoor eating areas re:](#)

4. Consider approval of Resolution 2019-189R, ratifying a contract with the Lower Colorado River Authority ("LCRA") for trimming and removal of trees adjacent to various electric lines and facilities in the estimated amount of \$465,544.80, as authorized under the terms of a previously approved Interlocal Agreement with LCRA for maintenance of electric facilities; ratifying the execution of the contract and authorizing the City Manager, or his designee, to execute any associated documents on behalf of the city; and declaring an effective date.

Attachments: [Resolution](#)[Executed LCRA Work Order Tree Trimming.pdf](#)

5. Consider approval of Resolution 2019-187R, approving an Interlocal Agreement with the Guadalupe-Blanco River Authority (GBRA) that provides for participation by GBRA in the costs for design and construction of storage, pumping and piping facilities and appurtenances that will enable delivery of water from the Alliance Water Regional Authority System to the San Marcos Regional Water Treatment Plant; authorizing the City Manager to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [GBRA-ARWA project interlocal Resolution.docx](#)[Agreement](#)[Exhibit A.pdf](#)[Exhibit B.pdf](#)

6. Consider approval of Resolution 2019-188R, approving amendment No. 1 to the first amended and restated Regional Project Agreement with the Guadalupe-Blanco River Authority (GBRA) to provide for additional treated groundwater from the Carrizo-Wilcox Aquifer made available by the Alliance Regional Water Authority; authorizing the City Manager to execute said amendment; and declaring an effective date.

Attachments: [Resolution](#)[Restated Regional Project Agreement Amendment](#)[Attachment 1](#)

7. Consider approval of Resolution 2019-190R, approving the award of a Construction Contract to the Brandt Companies, LLC for upgrades to the Redwood, McCarty, and Strahan Electric Substations in the Amount of \$1,870,206.58; authorizing the City Manager, or his designee, to execute the contract and associated documents on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
 [219-310 Bid Tabulation.doc](#)

8. Consider approval of Resolution 2019-191R, approving Amendment No. 4 to the WIC Program Funding Contract with the Texas Health and Human Services Commission (HHSC) increasing the per participant reimbursement rate from \$13.76 to \$14.18; authorizing the City Manager or his designee to execute the contract amendment on behalf of the City; and providing an effective date.

Attachments: [Resolution-WIC Amendment No. 4.docx](#)
 [Amendment 4 Amending \\$6993496 2017-049738-001 City of](#)
 [Amendment 3 executed 2017-049738-001 City of San Marcos A-3 Sig Pg.doc](#)
 [Original 2017 statement of work](#)
 [Original 2017 Uniform Terms and Conditions](#)
 [Original 2017 Supplemental and Special Conditions](#)
 [2017-049738-001 City of San Marcos A-3 Att A-1 FFATA](#)

9. Consider approval of Resolution 2019-192R, approving the appointment of Midwest Veterinary Supply and Patterson Veterinary as the supply companies to provide veterinary supplies and medication for the San Marcos Regional Animal Shelter in the estimated not-to-exceed amount of \$135,000; authorizing the Purchasing Manager to execute associated purchasing documents on behalf of the City; and declaring an effective date.

Attachments: [Resolution-Veterinary Supplies.docx](#)
 [Midwest San Marcos Pricing Statement 8-30-19](#)
 [Patterson Veterinary Pricing Letter](#)

10. Consider approval of Resolution 2019-193R, approving an agreement between the City and Hays County Animal Hospital, PC for the provision of professional veterinary services for animals under the care and supervision of the San Marcos Regional Animal Shelter in an annual amount not-to-exceed \$140,000.00 for the initial one-year term with options to renew for up to five years for a total contract price of \$625,000.00; authorizing the City Manager or his designee to execute the professional services agreement; and declaring an effective date.

Attachments: [Resolution - Professional Veterinary Services.docx](#)

11. Consider approval of Resolution 2019-194R, approving a grant agreement with The Recycling Partnership, a 501(c)(3) organization, to accept a cash grant in the amount of \$25,000 and an in-kind grant valued at \$75,000 to assist the City with methods to increase recycling and reduce contamination at multifamily properties; authorizing the City Manager

or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Recycling Grant.doc](#)
[Recycling Partnership San Marcos Grant Agreement 9-11-19.docx](#)

12. Consider approval of Resolution 2019-195R, awarding a design contract to Cobb, Fendley & Associates, Inc., of 505 East Hunterland Drive, Suite 100, Austin, Texas; for the Reconstruction of Downtown Alleys: Kissing Alley preliminary engineering, and field services, in the estimated amount of \$148,298.00; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.

Attachments: [Resolution](#)
[Exhibit 1-Kissing Alley Scope Of Work - 20190822.pdf](#)
[Project Location Map.pdf](#)

13. Consider approval of Resolution 2019-196R, awarding a construction contract to Ultimate Roofing Systems for the replacement of the roof at the Police Department in the amount of \$206,903.21, the roof at the Charles S. Cock House in the amount of \$33,291.57, the roof at Fire Station #1 in the amount of \$31,014.12, the roof of the Commemorative Air Force Building at the San Marcos Regional Airport in the amount of \$178,580.54 and the partial replacement of the roof at Fire Station \$5 in the amount of \$12,107.12 through the Texas Interlocal Purchasing System Cooperative (Contract No. 2092415); authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Roof replacements.docx](#)
[Station 5 Quote](#)
[Charles S. Cock House Quote](#)
[Station 1 Quote](#)
[PD Roof Quote](#)
[CAF Roof Quote.pdf](#)

14. Consider approval of Resolution 2019-182R, approving a Public Transit System Interlocal Agreement with the Capital Area Rural Transportation System ("CARTS") for CARTS to provide transit services on behalf of the City in the San Marcos urbanized area, with the amount not to exceed \$1,700,000; authorizing the City Manager, or his designee, to execute the agreement on behalf of the City; and declaring effective date.

Attachments: [Resolution](#)
[Public Transit System Interlocal Agreement.pdf](#)
[ILA Attachment-1.pdf](#)
[ILA Attachment-2.pdf](#)
[ILA Attachment-3.pdf](#)
[ILA Attachment-4.pdf](#)

15. Consider approval of Resolution 2019-198R, amending the City's service agreement with the San Marcos Area Chamber of Commerce to authorize additional funding of \$24,000 for a total contract price of \$50,100; authorizing the City Manager or his designee to execute the amendment on behalf of the City; and declaring an effective date.

Attachments: [Resolution - Chamber funding.docx](#)

PUBLIC HEARINGS

16. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2019-31, amending the Official Zoning Map of the City by rezoning approximately 0.72 acres of land out of lot 5, Block 1 San Marcos Business Park, Section 2, located at 1909 Dutton Drive, from "GC" General Commercial District to "CD-4" Character District 4; and including procedural provisions; and consider approval of Ordinance 2019-31, on the first of two readings.

Attachments: [Ordinance](#)
[ZC-19-09 Council Cover Memo](#)
[ZC-19-09 Notification Map](#)
[ZC-19-09 Notification List](#)
[ZC-19-09 Aerial Map](#)
[ZC-19-09 Staff Report](#)
[ZC-19-09 Comp Plan Check List](#)
[ZC-19-09 Zoning Map](#)
[ZC-19-09 Application](#)
[Meets and Bounds Zoning Tract - CD-4 - Corrected CB.pdf](#)
[1909 Dutton Deed](#)
[ZC-19-09 Area to be rezoned](#)
[ZC-19-09 CC Staff Presentation](#)

17. Receive a Staff presentation and hold a Public Hearing to receive comments for or against the annexation into the City of approximately 92.787 acres of land generally located in the 1900 block of Redwood Road between State Highway 123 and Old Bastrop Road.

Attachments: [AN-18-03 Aerial](#)
[AN-18-03 Annexation Service Agreement](#)
[AN-18-03 Metes and Bounds](#)
[AN-18-03 Redwood 1 - Presentation](#)

18. Receive a Staff presentation and hold a Public Hearing to receive comments for or against the annexation into the City of approximately 102.434 acres of land generally located at 2357 Redwood Road.

Attachments: [AN-18-04 Aerial](#)
 [AN-18-04 Annexation Service Agreement](#)
 [AN-18-04 Metes and Bounds \(102.434 ac\)](#)
 [AN-18-04 Redwood 2 - Presentation](#)

NON-CONSENT AGENDA

19. Consider approval of Ordinance 2019-32, on first and final reading, amending Ordinance No. 2019-19 that established a 90-day waiting period before a permit may be issued for the demolition or removal of certain buildings that are identified as medium or high preservation priority buildings or at least 80 years old; exempting parts of such buildings that do not contribute to their historic significance from the 90 day waiting period; extending the duration of the Ordinance; including procedural provisions; providing for the adoption of this Ordinance on only one reading as an emergency measure; and declaring an effective date.

Attachments: [Demolition Delay Ordinance Extension and Amendment](#)

20. Receive a Staff presentation and consider Resolution 2019-120R, approving a request for a Conditional Use Permit (CUP-19-11) to allow a Purpose Built Student Housing Development in the 100 Block of South Guadalupe Street between West San Antonio Street and West MLK Drive; authorizing City Staff to Issue a Conditional Use Permit Consistent with this Resolution; and declaring an effective date; and consider approval of Resolution 2019-120R.

Attachments: [CUP-19-11 September 30 City Council Cover Memo](#)
 [CUP-19-11 July 22,2019 Committee Packet](#)
 [Request for Council Action](#)
 [Resolution](#)
 [CUP-19-11 Council Presentation](#)

21. Consider approval of Resolution 2019-185R, approving a Partial Assignment of a Development Agreement from Craddock Avenue Partners, L.L.C. to Carson Diversified Land, L.P. for an approximately 10 acre undeveloped portion of the Buie Tract located along Craddock Avenue at Bishop Street; modifying the Development Agreement by eliminating the requirements that all buildings be brought to the street edge of Craddock Avenue and contain ground floor retail or office space, and by eliminating the requirement that future assignments must be approved by the City; approving any other conditions to the assignment or modifications to the development agreement as may be imposed by the City Council; authorizing the City Manager to execute the partial assignment on behalf of the City; and declaring an effective date.

Attachments: [Buie Assignment Cover Memo](#)
[Resolution](#)
[Buie Carson Assignment 2019 redline Draft for 09-30-19 Council Meeting](#)
[Buie Carson Assignment 2019 Clean Draft for 09-30-19 Council Meeting](#)
[Aerial Map](#)
[Mixed Use Zoning Matrix](#)
[Original 2009 Buie Development Agreement](#)
[Amended 2013 Buie Assignment](#)
[Applicant's 2019 Request](#)

22. Consider a request by the Zoning Board of Adjustments to refund Carson Haysco Holdings, LP for the cost of the application fee for their variance request (VR-19-04), in an amount not to exceed \$721.00, and provide direction to the City Manager.
23. Consider the appointment, or appointments, of the City of San Marcos' representative(s) to the Capital Area Council of Governments (CAPCOG) General Assembly, and provide direction to staff.

Attachments: [General Assembly Summary](#)
[CAPCOG Bylaws Amended 9.12.18](#)

24. Hold discussion regarding City Council Work Sessions, and provide direction to the City Manager.
25. Hold discussion regarding the setting of the City Council 2020 Meeting Calendar, and provide direction to Staff.

Attachments: [2020 Council Calendar](#)

EXECUTIVE SESSION (if necessary)

NOTE: The City Council may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session.

26. Executive Session in accordance with the following Government Code Sections:
 - A. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding the creation of Hays County Municipal Utility District No. 8.
 - B. Section 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project World Series.
 - C. Section § 551.074 - Personnel Matters: discuss duties and responsibilities of the City Manager

Direction/Action following Executive Session

27. Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting:
 - A. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate

regarding the creation of Hays County Municipal Utility District No. 8.

B. Section 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project World Series.

C. Section § 551.074 - Personnel Matters: discuss duties and responsibilities of the City Manager

VI. Question and Answer Session with Press and Public.

This is an opportunity for the Press and Public to ask questions related to items on this agenda.

VII. Adjournment.

VIII. ADDENDUM

The following items have been removed from the agenda since it was posted on September 20, 2019:

Item #1:

Consider approval, by motion, of the following meeting Minutes:

A. June 5, 2019 - Joint Code SMTX Workshop Minutes

Previously Item #4:

Consider approval of Resolution 2019-161R, approving an Engineering Services Contract with the Lower Colorado River Authority (LCRA) for provision of Engineering Services in connection with the design and construction of the Rattler Substation; authorizing the City Manager or his designee to execute this agreement on behalf of the City; and declaring an effective date.

Previously Item #15:

Consider approval of Resolution 2019-197R, awarding a Predevelopment Services Agreement to Hunt Companies, Inc. in the not-to-exceed amount of \$1,500,000 for pre-development services relating to the new Public Services Complex; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

POSTED ON TUESDAY, SEPTEMBER 24, 2019 @ 3:00PM

JAMIE LEE CASE, TRMC, CITY CLERK

Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov